



**CITY OF UPLAND**  
"The City of Gracious Living"

**MEETING OF THE CITY COUNCIL**

*Agenda*

Bill Velto, Mayor

James Breitling, Mayor Pro Tem - District 2

Carlos A. Garcia, Councilmember - District 3

Shannan Maust, Councilmember - District 1

Rudy Zuniga, Councilmember - District 4

Michael Blay, City Manager

Stephen P. Deitsch, City Attorney

Keri Johnson, City Clerk

**Monday, February 12, 2024**

**Open session begins at 6:00 p.m.**

**City Council Chamber**

**City Hall, 460 N. Euclid Avenue**

Residents may observe the City Council meetings remotely via [livestream](#) on the City website, Spectrum Cable TV Channel 3, or Frontier Cable TV Channel 26.

- 1. CALL TO ORDER AND ROLL CALL**
- 2. ADDITIONS-DELETIONS TO AGENDA**
- 3. ORAL COMMUNICATIONS**

This is a time for any citizen to comment on item listed on the closed session agenda only. Anyone wishing to address the legislative body is requested to submit a speaker card to the City Clerk at or prior to speaking. The speakers are requested to keep their comments to no more than three (3) minutes. The use of visual aids will be included in the time limit.

**CLOSED SESSION BEGINS AT 5:00 p.m.**

- 4. CLOSED SESSION**
  - a. **CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**  
(Paragraph (1) of subdivision (d) of California Government Code Section 54956.9)  
Case Name: John Leslie Mowatt v. City of Upland  
San Bernardino County District - Civil Division Case No. CIVSB2302422
  - b. **CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**  
(Paragraph (1) of subdivision (d) of California Government Code Section 54956.9)  
Case Name: Jeannette Vagnozzi v. City of Upland  
San Bernardino County Superior Court of California Case No. CIVSB2122496

- 5. INVOCATION**

Very Reverend Keith Yamamoto, St. Mark's Episcopal Church

- 6. PLEDGE OF ALLEGIANCE**

## 7. PRESENTATIONS

Proclamation Recognizing Reserve Officer Eric Steele upon his retirement from the City with 41 years of service

Presentation of Certificates of Completion to the Upland Community Emergency Response Team (CERT)

Presentation of a check from Upland Kiwanis for the Downtown Parklet Project

## 8. CITY ATTORNEY

## 9. ORAL COMMUNICATIONS

This is a time for any citizen to comment on any item listed or not listed on the agenda. Anyone wishing to address the legislative body is requested to submit a speaker card to the City Clerk at or prior to speaking. The speakers are requested to keep their comments to no more than three (3) minutes. Speakers will be given five (5) minutes during public hearings. The use of visual aids will be included in the time limit. Public comments and questions for the purpose of hearing current matters of concern in our community and to provide citizens a method for the public to hear those concerns in an open venue is encouraged. However, under the provisions of the Brown Act, the City Council is prohibited from discussion of items not listed on the agenda, and therefore, the City Council, City Manager, or City Attorney will take communications under advisement for consideration and appropriate response or discussion at a later time.

Individuals who demonstrate disruptive conduct during City Council meetings that prevent the City Council from conducting its meeting in an orderly manner are guilty of a misdemeanor as stated in PC403, disrupting a public meeting, and are subject to removal from the chamber or arrest.

## 10. CONSENT CALENDAR

All matters listed under the Consent Calendar are considered to be routine and will be enacted by one roll call vote. There will be no separate discussion of these items unless members of the legislative body request specific items be removed from the Consent Calendar for separate action.

### **Recommended Action:**

Approve the Consent Calendar

### a. APPROVAL OF MINUTES

#### **Recommended Action:**

Approve the Regular Meeting Minutes of January 22, 2024. (Staff Person: Keri Johnson)

### b. DESIGNATION OF A DELEGATE AND ALTERNATE TO THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS GENERAL ASSEMBLY MEETING

**CEQA:** Not a Project.

#### **Recommended Action:**

Appoint Mayor Pro Tem Breitling as the delegate and Councilmember Carlos A. Garcia as the alternate delegate to represent the City of Upland at the Southern California Association of Governments (SCAG) General Assembly meeting on May 2, 2024. (Staff Person: Keri Johnson)

### c. HOMELAND SECURITY GRANT PROJECT 2021

**CEQA:** Not a Project.

**Recommended Action:**

Accept the Fiscal Year 2021 Homeland Security Grant funds in the amount of \$28,470 and authorize the appropriation of \$28,470 to purchase equipment to outfit two current units into mobile command posts and a pole camera. (Staff Person: Marcelo Blanco)

- d. ACCEPT A DONATION FROM THE UPLAND FOOTHILL KIWANIS IN THE AMOUNT OF \$40,800 TO PURCHASE BENCHES FOR THE DOWNTOWN UPLAND PARKLETS PROJECT.

**CEQA:** Not a Project

**Recommended Action:**

Accept the donation of \$40,800 from the Upland Foothill Kiwanis to be applied toward the purchase of benches for the Downtown Upland Parklets Project. (Staff Person: Robert Dalquest)

- e. CONSIDER APPROVAL OF AN AGREEMENT WITH BEARCOM FOR THE INSTALLATION OF CAMERAS IN MEMORIAL PARK

**CEQA:** Not a Project.

**Recommended Action:**

Approve an agreement with BearCom to purchase camera and networking hardware systems, authorize the City Manager to execute the agreement, and approve the use of \$115,509.20 in American Rescue Plan Act (ARPA) funds. (Staff Person: Stephen Parker)

- f. CONSIDER APPROVAL OF A TITLE CHANGE AND REVISED JOB SPECIFICATIONS FOR THE FINANCE OFFICER CLASSIFICATION

**CEQA:** Not a Project

**Recommended Action:**

Approve the title change from Finance Officer to Finance Manager and the revisions to the job specifications for the Finance Manager classification. (Staff Person: Stephen Parker)

- g. CONSIDER APPROVAL OF AN AGREEMENT WITH EPIPE-PIPE RESTORATION INC. FOR CITY HALL PIPE COATING PROJECT

**CEQA:** Exempt

**Recommended Action:**

Approve an agreement with ePipe-Pipe Restoration Inc. for the City Hall restroom pipe coating project; and authorize the City Manager to execute the agreement. (Staff Person: Stephen Parker)

- h. CONSIDER APPROVAL OF AN AMENDMENT TO THE ON-CALL UTILITY MANAGER AND STAFF AUGMENTATION AGREEMENT

**CEQA:** Not a Project

**Recommended Action:**

Approve the first Amendment to the On-call Utility Manager and Staff Augmentation Agreement extending the contract term; increasing the contract amount by \$80,000 for a total contract amount of \$128,600; approving a budget transfer; and authorize the City Manager to execute the amendment and any future amendments/extensions within the City Manager's authority. (Staff Person: Braden Yu)

- i. CONTRACT CHANGE ORDER FOR PARKING LOT & ALLEY REHABILITATION PROJECT EAST OF FIRST AVENUE, NORTH OF “A” STREET

**CEQA:** Categorically exempt from further environmental review pursuant to Section 15301(c) “Existing Facilities” of the CEQA Guidelines.

**Recommended Action:**

Authorize a contract change order to Gentry General Engineering, Inc. in the amount of \$75,019; approve a contingency of \$14,981 for a total change order amount of \$90,000; approve an additional allocation of ARPA funds of \$90,000; and authorize the City Manager to execute any extensions, and any future amendments within the City Manager’s authority. (Staff Person: Braden Yu)

- j. REJECT ALL BIDS FOR BID NO. 24-001, ON CALL SIGNAGE AND STRIPING INSTALLATION, AND RE-ADVERTISE THE PROJECT

**CEQA:** Not a Project

**Recommended Action:**

Reject all bids for Bid No. 24-001, On-Call Signage and Striping Installation, and authorize staff to re-advertise the project. (Staff Person: Braden Yu)

**11. PUBLIC HEARINGS**

**12. COUNCIL COMMITTEE REPORTS**

- a. COUNCIL REPORTS ON REGIONAL COMMITTEE MEETING, TRAINING, OR CONFERENCE ATTENDANCE

Councilmembers will provide oral reports on any meetings, trainings, or conferences they attended on behalf of the City. This item is for information only.

**13. BUSINESS ITEMS**

- a. CONSIDERATION OF AN ORDINANCE REGARDING FIREWORKS REGULATIONS AND HOST’S LIABILITY

**CEQA:** Not a Project.

**Recommended Action:**

Hold first reading by title only, waive further reading and introduce an Ordinance amending Upland Municipal Code (UMC) Section 8.28.040 and adding UMC Section 8.28.045 regarding host’s liability to regulate safety measures and ensure the safety of members of the public. (Staff Person: Marcelo Blanco)

- b. CONSIDERATION OF AN ORDINANCE AMENDING UPLAND CITY PARK HOURS

**CEQA:** Not a Project.

**Recommended Action:**

Hold first reading by title only, waive further reading, and introduce an Ordinance amending Upland Municipal Code Section 9.04.090 regarding closing hours for Upland Municipal Parks. (Staff Person: Marcelo Blanco)

- c. CONSIDERATION OF AN ORDINANCE AMENDING REGULATIONS RELATED TO OVERNIGHT PARKING OF VEHICLES IN CITY-OWNED PARKING LOTS

**CEQA:** Not a Project

**Recommended Action:**

Hold first reading by title only, waive further reading, and introduce an Ordinance adding "10.36.040 O" of the Upland Municipal Code regarding parking of vehicles in government owned public parking lots to regulate safety, prevent crime, decrease blight, and prevent storage of vehicles in government owned public parking lots in the City. (Staff Person: Marcelo Blanco)

- d. CONSIDER CHANGING THE MEETING DAY OF REGULAR UPLAND CITY COUNCIL MEETINGS

**CEQA:** Not a Project.

**Recommended Action:**

Discuss changing the regular City Council meetings to the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of the month; and consider holding first reading by title only, waive further reading, and introduce an Ordinance amending Upland Municipal Code Section 2.02.010 changing the regular meeting days of the Upland City Council. (Staff Person: Keri Johnson)

**14. COUNCIL COMMUNICATIONS**

**15. CITY MANAGER**

**16. ADJOURNMENT**

The City Council will adjourn in memory of Paul Brittain, Upland Resident and former Pioneer Jr. High School teacher. The next regularly scheduled City Council meeting is Monday, February 26, 2024.

NOTE: If you challenge the public hearing(s) or the related environmental determinations in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Upland, at, or prior to, the public hearing.

All Agenda items and back-up materials are available for public review at the Upland Public Library, at 450 North Euclid Avenue, the City Clerk's Office at 460 North Euclid Avenue and the City website at [www.uplandca.gov](http://www.uplandca.gov).

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office, 909-931-4120. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADA Title II]

On February 7, 2024 a true and correct copy of this agenda was posted on the bulletin boards at 450 N. Euclid Avenue (Upland Public Library) and 460 N. Euclid Avenue (Upland City Hall), and the City website at [www.uplandca.gov](http://www.uplandca.gov)